

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

STATIC CONTROL COMPONENTS, INC.,)	
)	
)	
Plaintiff/Counter-Defendant,)	
v.)	1:08CV684
)	
RICOH ELECTRONICS, INC.,)	
)	
Defendant/Counter-Plaintiff.)	
)	

ORDER

This matter is before the Court on a Recommendation of the United States Magistrate Judge recommending that Defendant/Counter-Plaintiff Ricoh Electronics, Inc.'s ("Defendant") Motion for Summary Judgment be granted in part and denied in part. The Recommendation was filed on February 8, 2011, and notice was served on the parties pursuant to 28 U.S.C. § 636(b). On February 25, 2011, both Plaintiff/Counter-Defendant Static Control Components, Inc. ("Plaintiff") and Defendant filed timely Objections to the Recommendation. The Court has now reviewed de novo the Objections and the portions of the Recommendation to which objection was made by each party, and finds that the Objections do not change the substance of the United States Magistrate Judge's ruling.¹ The Magistrate Judge's Recommendation

¹ The Court notes that Plaintiff, in its Objection, requests that the Court take action to resolve pending issues pertaining to the Magistrate Judge's October 26, 2009 Discovery Order. Specifically, Plaintiff asserts that "[Defendant] was ordered to pay [Plaintiff's] attorneys' fees and costs as sanctions in connection with [a] 30(b)(6) deposition," but that the sanctions order remains unresolved. (Pl.'s Objection, Doc. #159, at 9 n.1). However, there is not presently a motion or recommendation before this Court for review and consideration of those matters. As such, to the extent that Plaintiff seeks relief pursuant to the October 26, 2009 Order, Plaintiff should file a Motion to that effect for initial consideration by the Magistrate Judge.

[Doc. #155] is therefore affirmed and adopted.

IT IS THEREFORE ORDERED that Defendant's Motion for Summary Judgment [Doc. #142] is GRANTED in part and DENIED in part in accordance with the Recommendation. Specifically, Defendant's Motion for Summary Judgment is GRANTED as to Plaintiff's claim for Unfair and Deceptive Trade Practices. In addition, Defendant's Motion for Summary Judgment is GRANTED as to Defendant's counterclaim for the contract price of the unpaid NB-02 and NB-20 toner shipments to Plaintiff in the amount of \$559,932.00. Except as expressly granted herein, Defendant's Motion for Summary Judgment is DENIED.

This, the 22nd day of March, 2011.



James A. Beatty
United States District Judge